

**United States District Court
for the
Northern District of West Virginia**

**Request for Modifying the Conditions of Supervision
with Consent of the Offender**
(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Daniel Wilson Testerman

Case Number: 1:05CR04

Name of Sentencing Judicial Officer: Honorable Irene M. Keeley, U. S. District Judge

Date of Original Sentence: May 16, 2006

Original Offense: Possession of Child Pornography
Receipt of Child Pornography (Three Counts)

Original Sentence: 60 months imprisonment on Count One; 108 months imprisonment on Counts Two, Three and Four, all concurrent/3 years supervised release each count, concurrent

Type of Supervision: Supervised Release

Date Supervision Commenced: January 23, 2014

PETITIONING THE COURT

- ☐ To extend the term of supervision for years, for a total term of years.
☒ To modify the conditions of supervision as follows:

1. The defendant shall not purchase, possess or consume any organic or synthetic intoxicants, including bath salts, synthetic cannabinoids or other designer stimulants.
2. The defendant shall not frequent places that sell or distribute synthetic cannabinoids or designer stimulants.

CAUSE

The above conditions will allow the officer to effectively monitor the defendant and intervene quickly if criminal conduct is suspected.



Respectfully submitted,

by Vincent T. Zummo
Vincent T. Zummo
Senior U. S. Probation Officer
Date: June 16, 2014

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Request for Modifying the
Conditions or Terms of Supervision
with Consent of the Offender

THE COURT ORDERS:

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other



Signature of Judicial Officer

June 16, 2014

Date

PROB 49
(3/89)

UNITED STATES DISTRICT COURT
for the
Northern District of West Virginia

**Waiver of Hearing to Modify Conditions
of Supervised Release of Supervision**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Supervised Release or my period of supervision being extended. By 'assistance of counsel', I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Supervised Release:

1. The defendant shall not purchase, possess or consume any organic or synthetic intoxicants, including bath salts, synthetic cannabinoids or other designer stimulants.
2. The defendant shall not frequent places that sell or distribute synthetic cannabinoids or designer stimulants.

Witness:

Vincent Gurnea
U.S. Probation Officer

Signed:

Daniel Cesterman
Probationer or Supervised Releasee

6-11-14

DATE